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| Adopted | Rejected |
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COMMITTEE REPORT

YES: 9

NO: 1

MR. SPEAKER:

*Your Committee on Public Health, to which was referred Senate Bill 202, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill **be amended** as follows:*

- 1 Page 12, between lines 28 and 29, begin a new paragraph and insert:
- 2 "SECTION 12. IC 25-26-13-33 IS ADDED TO THE INDIANA
- 3 CODE AS A NEW SECTION TO READ AS FOLLOWS
- 4 [EFFECTIVE JULY 1, 2006]: Sec. 33. (a) As used in this section,
- 5 "self-service display" means a display that contains cigarettes in an
- 6 area where a customer:
- 7 (1) is permitted; and
- 8 (2) has access to the cigarettes without assistance from a sales
- 9 person.
- 10 (b) This section does not apply to a self-service display located
- 11 in a pharmacy or other retail establishment that:
- 12 (1) has a primary purpose to sell cigarettes; and
- 13 (2) prohibits entry by persons who are less than eighteen (18)
- 14 years of age.
- 15 (c) The owner of a pharmacy or other retail establishment that

1 **sells or distributes cigarettes through a self-service display, other**
2 **than a coin operated machine operated under IC 35-46-1-11 or**
3 **IC 35-46-1-11.5, commits a Class C infraction.**

4 **(d) Notwithstanding IC 34-28-5-4(c), civil penalties collected**
5 **under this section must be deposited in the Richard D. Doyle youth**
6 **tobacco education and enforcement fund (IC 7.1-6-2-6).".**

7 Page 32, line 19, delete "IC 25-26-14-15.5;".

8 Renumber all SECTIONS consecutively.

(Reference is to SB 202 as printed January 27, 2006.)

and when so amended that said bill do pass.

Representative Brown T